

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CRYSTAL LAX, *et al.*,
Plaintiffs,
v.
ADOBE SERVICES, *et al.*,
Defendants.

Case No. 2:22-cv-00769-DJC-JDP (PS)

FINDINGS AND RECOMMENDATIONS

THAT THE ACTION BE DISMISSED FOR
FAILURE TO PROSECUTE, FAILURE TO
STATE A CLAIM, AND FAILURE TO
COMPLY WITH COURT ORDERS

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On March 11, 2024, I screened plaintiffs' complaint, notified them that it failed to state a claim, and granted them thirty days to file an amended complaint. ECF No. 7. Plaintiffs failed to timely file an amended complaint. Accordingly, on April 30, 2024, I ordered them to show cause within fourteen days why this action should not be dismissed for failure to prosecute and failure to state a claim. ECF No. 8. I notified plaintiffs that if they wished to continue with this lawsuit, they must file an amended complaint. I also warned plaintiffs that failure to comply with the April 30, 2024 order would result in a recommendation that this action be dismissed. *Id.*

The deadline has passed, and plaintiffs have neither filed an amended complaint nor otherwise responded to the April 30, 2024 order. Accordingly, it is hereby RECOMMENDED that:

1 1. This action be dismissed without prejudice for failure to prosecute, failure to comply
2 with court orders, and failure to state a claim.

3 2. The Clerk of Court be directed to close the case.

4 These findings and recommendations are submitted to the United States District Judge
5 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
6 after being served with these findings and recommendations, any party may file written
7 objections with the court and serve a copy on all parties. Such a document should be captioned
8 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
9 objections shall be served and filed within fourteen days after service of the objections. The
10 parties are advised that failure to file objections within the specified time may waive the right to
11 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
12 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

13
14 IT IS SO ORDERED.

15 Dated: May 29, 2024



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE